

1 The Honorable Robert S. Lasnik  
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10 UNITED STATES DISTRICT COURT FOR THE  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE  
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15 UNITED STATES OF AMERICA,  
16 Plaintiff,

17 NO. CR16-300 RSL

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AMENDED PROTECTIVE ORDER

29 v.  
30 AUBREY TAYLOR, a/k/a "Uno",  
31 Defendant.

32 This matter, having come to the Court's attention on the government's motion for  
33 entry of an amended discovery protective order, and the Court, having considered the  
34 motion, and being fully advised in this matter, hereby enters the following AMENDED  
35 PROTECTIVE ORDER:

36 1. **Protected and Sensitive Material.**

37 A. *Protected Material.* The following documents and materials are  
38 deemed Protected Material:

39 i. Witness statements, including but not limited to reports of law  
40 enforcement officers memorializing witness statements; and  
41 ii. The personal information related to victims and/or witnesses, and  
42 any statements and/or documents containing personal information related to any victims  
43 and/or witnesses. As used in this Order, the term "personal information" refers to each

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45 UNITED STATES v. TAYLOR/NO. CR16-300 RSL

46 UNITED STATES ATTORNEY  
47 700 STEWART STREET, SUITE  
48 5220  
49 SEATTLE, WASHINGTON 98101  
50 (206) 553-7970

1 victim and/or witnesses' date of birth, Social Security number (or other identification  
2 information), driver's license number, address, telephone number, location of residence  
3 or employment, school records, juvenile criminal records, and other confidential  
4 information. In addition, with respect to any victims in this case, the term "personal  
5 information" also includes the name and identity of each victim.

6 The United States will make available copies of the Protected Materials, including  
7 those filed under seal, to defense counsel to comply with the government's discovery  
8 obligations. Possession of copies of the Protected Materials is limited to the attorneys of  
9 record, and investigators, paralegals, law clerks, experts and assistants for the attorneys of  
10 record (hereinafter collectively referred to as "members of the defense team"):

11 The attorneys of record and members of the defense team may share and review  
12 the Protected Material with the Defendant. The attorneys of record and members of the  
13 defense team acknowledge that providing copies of the Protected Material to the  
14 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of  
15 the Protected Material to the Defendant and other persons. The exception to this  
16 prohibition is the dissemination of electronic copies to the Federal Detention Center at  
17 SeaTac, Washington, for use in a controlled environment by Defendant, who is currently  
18 in custody there. The United States Attorney's Office for the Western District of  
19 Washington is prohibited from providing copies of the Protected Material to non-law  
20 enforcement witnesses or potential witnesses.

21 *B. Sensitive Material.* The following documents and materials are  
22 deemed Sensitive Material:

23 i. Grand Jury transcripts and exhibits;  
24 ii. Medical records related to victims and/or witnesses; and  
25 iii. Sexually suggestive photographs of victims and/or witnesses,  
26 including but not limited to photographs connected to online advertisements for  
27 prostitution.

1        Possession of Sensitive Material is limited to attorneys of record and members of  
2 the defense team. The attorneys of record and members of the defense team may not  
3 share or review the documents containing Sensitive Material, or any copies of any  
4 documents containing Sensitive Material, in any manner with any other person, including  
5 Defendant. This order, however, does not prohibit attorneys of record and members of  
6 the defense team from discussing the contents of documents constituting Sensitive  
7 Material with Defendant, as long as the attorneys of record and members of the defense  
8 team do not share the documents or copies of the documents with Defendant or any other  
9 person. The attorneys of record and members of the defense team shall keep any  
10 documents containing Sensitive Material secured whenever the documents containing  
11 Sensitive Material is not being used in furtherance of their work in the above captioned  
12 case.

13        Additional discovery items may be deemed by the parties to constitute Protective  
14 or Sensitive Material upon agreement.

15        Any violation of these prohibitions constitutes a violation of the Protective Order.  
16 Further, the attorneys of record are required, prior to disseminating any copies of the  
17 Protected or Sensitive Materials to members of the defense team, to provide a copy of  
18 this Protective Order to members of the defense team, and obtain written consent by  
19 members of the defense team of their acknowledgment to be bound by the terms and  
20 conditions of this Protective Order. The written consent need not be disclosed or  
21 produced to the United States unless requested by the Assistant United States Attorney  
22 and ordered by the Court. Nothing in this order should be construed as imposing any  
23 discovery obligations on the government that are different from those imposed by case  
24 law and Rule 16 of the Federal Rules of Criminal Procedure.

25        **2. Filing**

26        Any Protected or Sensitive Material that is filed with the Court in connection with  
27 pre-trial motions, trial, or other matter before this Court, shall be filed under seal and  
28 shall remain sealed until otherwise ordered by this Court. This does not entitle either

1 party to seal their filings as a matter of course. The parties are required to comply in all  
2 respects to the relevant local and federal rules of criminal procedure pertaining to the  
3 sealing of court documents.

4 **3. Nontermination**

5 The provisions of this Order shall not terminate at the conclusion of this  
6 prosecution.

7 **4. Violation of Any Terms of this Order**

8 Any violation of any term or condition of this Order by the Defendant, his  
9 attorney(s) of record, any member of the defense team, or any attorney for the United  
10 States Attorney's Office for the Western District of Washington, may be held in contempt  
11 of court, and/or may be subject to monetary or other sanctions as deemed appropriate by  
12 this Court.

13 If the Defendant violates any term or condition of this Order, the United States  
14 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file  
15 any criminal charges relating to the defendant's violation.

16 **5. Right to Review**

17 The parties agree that in the event that compliance with this Order makes it  
18 difficult for defense counsel to adhere to their Sixth Amendment obligations, or  
19 otherwise imposes an unworkable burden on counsel, defense counsel shall bring any  
20 concerns about the terms of the Order to the attention of the government. The parties  
21 shall then meet and confer with the intention of finding a mutually acceptable solution.

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UNITED STATES ATTORNEY  
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1 In the event that the parties cannot reach such a solution, defense counsel shall have the  
2 right to bring any concerns about the scope or terms of the Order to the attention of the  
3 Court.

4 The Clerk of the Court is directed to provide a filed copy of this Protective Order  
5 to all counsel of record.

6 DATED this 10<sup>th</sup> day of May, 2018.

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10 THE HONORABLE ROBERT S. LASNIK  
11 UNITED STATES DISTRICT JUDGE

12  
13 Presented by:

14 s/ Catherine L. Crisham  
15 CATHERINE L. CRISHAM  
16 Assistant United States Attorney